

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

(973) 776-7700

CHAMBERS OF

JAMES B. CLARK, III

UNITED STATES MAGISTRATE JUDGE

U.S. COURTHOUSE
50 WALNUT STREET, ROOM 2060
NEWARK, NJ 07102

October 31, 2019

LETTER ORDER

Re: **Szemple v. Rutgers University, et al.**
Civil Action No. 19-13300 (JMV)

Dear Mr. Szemple and Counsel:

The Court is in receipt of a letter from Michael Podera, Esq. of Podera Law indicating that he is “willing to take this case *pro bono* and would welcome appointment” as *pro bono* counsel for Plaintiff. See Dkt. No. 5. Plaintiff previously filed a motion for the appointment of *pro bono* counsel [Dkt. No. 2] which was subsequently denied by the Court [Dkt. No. 4]. In denying Plaintiff’s motion, the Court found that Plaintiff had “not sufficiently established his indigency” and noted that Plaintiff’s Complaint had not been screened by the Court to determine whether Plaintiff’s claims have “some merit in fact and law.” Dkt. No. 4 at p. 2 (citing *Tabron v. Grace*, 6 F.3d 147, 153 (3d Cir. 1993)). There has been no change in the circumstances noted by the Court in its denial of Plaintiff’s previous motion for *pro bono* counsel and no renewed motion by Plaintiff. Although Mr. Podera has indicated to the Court that he would be willing to accept an appointment by the Court as *pro bono* counsel for Plaintiff, the Court, based upon the lack of change in circumstances which led to the denial of Plaintiff’s previous motion, declines to order the appointment of *pro bono* counsel for Plaintiff at this juncture. However, the Court knows of no impediment which would prevent Mr. Podera from representing Plaintiff *pro bono* in this matter absent an Order from this Court requiring him to do so.

IT IS SO ORDERED.

s/ James B. Clark, III
JAMES B. CLARK, III
United States Magistrate Judge